

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**JAMES D. SCHNELLER and  
FRIENDS OF JIM SCHNELLER  
FOR CONGRESS,**

**Plaintiffs,**

**v.**

**PHILADELPHIA NEWSPAPERS,  
INC., et al,**

**Defendants.**

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**CIVIL ACTION**

**No. 11-5071**

**ORDER**

**AND NOW**, this 28<sup>th</sup> day of August, 2012, upon consideration of Defendants' Motions to Dismiss (Doc. Nos. 19, 20, and 21) and all responses and replies thereto, and upon consideration of Plaintiffs' Motion for Default Judgment (Doc. No. 35) and Motion to Strike (Doc. No. 37) it is hereby **ORDERED** that:

1. Defendants' Motions to Dismiss (Doc. Nos. 19, 20, and 21) are **GRANTED**.
2. The remaining claims by Plaintiffs against Defendants shall be dismissed without prejudice as to Plaintiffs' right to refile its claims in the appropriate venue;
3. All claims in the federal action are dismissed;
4. Plaintiffs' Motion for Default Judgment (Doc. No. 35) is **DENIED**;
5. Plaintiffs' Motion to Strike (Doc. No. 37) is **DENIED AS MOOT**; and
6. The Clerk of Court shall mark this case as closed for all purposes.

**BY THE COURT:**

/s/LAWRENCE F. STENGEL  
LAWRENCE F. STENGEL, J.